

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHNNY NEWELL,
GEORGE MOORE,

Defendants

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8:06CR116

ORDER

This matter is before the court on defendant Johnny Newell's Motion to Enlarge Time to File Pretrial Motions [153] and defendant George Moore's Motion to Enlarge Time to File Pretrial Motions [154]. For good cause shown, I find that the motions should be granted. The defendant will be given an approximate 30-day extension. Pretrial Motions shall be filed by October 18, 2006.

IT IS ORDERED:

1. Johnny Newell's Motion to Enlarge Time to File Pretrial Motions [153] and defendant George Moore's Motion to Enlarge Time to File Pretrial Motions [154] are granted. Pretrial motions shall be filed on or before **October 18, 2006**.

2. Defendant George Moore is ordered to file a waiver of speedy trial as soon as practicable.

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between September 18, 2006 and October 18, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 18th day of September, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**